

1 AN ACT relating to case disposition times.

2 WHEREAS, case processing standards have been in effect for over 40 years in state
3 courts, with three-fourths of states adopting some version of them; and

4 WHEREAS, polling consistently reveals the public's primary complaint in regard to
5 the court system is how long it takes for a case to be resolved; and

6 WHEREAS, there is a substantial disconnect between public's expectations for
7 timeliness and the current pace of the Kentucky judicial system; and

8 WHEREAS, model time standards were adopted in 2011 by the Conference of State
9 Court Administrators, Conference of Chief Justices, American Bar Association House of
10 Delegates, and the National Association for Court Management; and

11 WHEREAS, Kentucky currently has a hodgepodge of court rules and statutes
12 regarding the timely disposition of cases;

13 NOW, THEREFORE,

14 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

15 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
16 READ AS FOLLOWS:

17 (1) As used in this section, "disposition time" means the time from the date of filing
18 to the date of disposition by entry of judgment. However, "disposition time" does
19 not include occurrences beyond the control of the court that exceptionally delay
20 disposition of the case, such as the filing of an interlocutory appeal, federal
21 bankruptcy proceedings during pendency of a civil matter, failure to appear and
22 issuance of a bench warrant for a criminal defendant, and treatment to restore
23 the competency of a criminal defendant found not to be competent to stand trial.

24 (2) The Administrative Office of the Courts shall issue an annual report beginning
25 in the calendar year 2024 that details the following:

26 (a) The median disposition time of cases for each judge;

27 (b) The median disposition time of cases by subject matter; and

1 (c) The number of days preceding disposition of each case.

2 (3) The information in the annual report required by this section shall be made
3 available to the public.

4 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
5 READ AS FOLLOWS:

6 As an effort to promote the speedy disposition of trials in the Commonwealth, judges
7 are encouraged to meet the disposition guidelines set forth in the Table of Model Time
8 Standards located in the most recent publication of Model Time Standards for State
9 Trial Courts by the National Center for State Courts. Time standards should be viewed
10 as a tool of successful court management, and failure of a court to dispose of a case
11 within the guidelines should not be used as evidence of a speedy-trial violation.

12 ➔Section 3. This Act may be cited as the Kentucky Timely Judgments and
13 Responsive Courts Act of 2021.